

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing (day/month/year)

06 January 2000 (06.01.00)

International application No.

PCT/US99/09506

Applicant's or agent's file reference

2146PCT

International filing date (day/month/year)

30 April 1999 (30.04.99)

Priority date (day/month/year)

30 April 1998 (30.04.98)

Applicant

SAFWAT, Sherif

BEST AVAILABLE COPY

1. The designated Office is hereby notified of its election made:



in the demand filed with the International Preliminary Examining Authority on:

01 November 1999 (01.11.99)



in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

A. Karkachi

Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: DONALD E. SCHREIBER
POST OFFICE BOX 64150
SUNNYVALE, CA 94088-4150

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

18 JUL 2000

Applicant's or agent's file reference
2146PCT

IMPORTANT NOTIFICATION

International application No.
PCT/US99/09506

International filing date (day/month/year)
30 APRIL 1999

Priority Date (day/month/year)
30 APRIL 1998

Applicant
SAFWAT, SHERIF

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Authorized officer

KURT ROWAN

Facsimile No. (703) 305-3230

Telephone No. (703) 308-2321

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US99/09506

| A. CLASSIFICATION OF SUBJECT MATTER IPC(6) : A01K 97/02, 85/01, 79/02 US CL : 43/17.1, 42.31, 43.16 According to International Patent Classification (IPC) or to both national classification and IPC | | |
|--|---|--|
| B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) U.S. : 43/17.1, 42.31, 43.16 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched none Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) APS | | |
| C. DOCUMENTS CONSIDERED TO BE RELEVANT | | |
| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| X --- Y. | US 4,715,142 A (RICHARD) 29 December 1987 (29/12/87), see entire document | 1-2, 12, 24, 26 ----- 3-11, 13-16, 25, 40-47 |
| X ---- Y | US 5,697,182 A (RODGERS) 16 December 1997 (16/12/97), see entire document. | 17-21, 27-35 ----- 36 |
| Y | US 4,970,808 A (MASSIE) 20 November 1990 (20/11/90), see entire document. | 22-23, 37-39 |
| Y | US 4,893,430 A (BARFIELD) 16 January 1990 (16/01/90), see Fig. 7. | 3-11, 16, 25, 42-47 |
| A | US 5,175,950 A (LINDER) 05 January 1993 (05/01/93), see entire document. | |
| <input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex. | | |
| * *A* *E* *L* *O* *P* | Special categories of cited documents: document defining the general state of the art which is not considered to be of particular relevance earlier document published on or after the international filing date document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed | *T* *X* *Y* *A* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family |
| Date of the actual completion of the international search 07 JUNE 1999 | | Date of mailing of the international search report 23 AUG 1999 |
| Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230 | | Authorized officer <i>Dean Gordon</i> KURT ROWAN Telephone No. (703) 308-2321 |

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US99/09506

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|---|-----------------------|
| A | US 5,159,773 A (GENTRY et al.) 03 November 1992 (03/11/92), see entire document. | |

PATENT COOPERATION TREATY

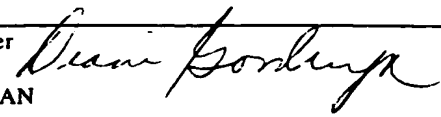
PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

| | | |
|--|--|---|
| Applicant's or agent's file reference 2146PCT | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/US99/09506 | International filing date (day/month/year) 30 APRIL 1999 | Priority date (day/month/year) 30 APRIL 1998 |
| International Patent Classification (IPC) or national classification and IPC IPC(7): A01K 97/02, 85/01, 79/02 and US Cl.: 43/17.1, 42.31, 43.16 | | |
| Applicant SAFWAT, SHERIF | | |

| | |
|---|--|
| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>1</u> sheets.</p> | |
| <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p> | |

| | |
|--|--|
| Date of submission of the demand 01 NOVEMBER 1999 | Date of completion of this report 28 JUNE 2000 |
| Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 | Authorized officer  KURT ROWAN |
| Facsimile No. (703) 305-3230 | Telephone No. (703) 308-2321 |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/09506

I. Basis of the report**1. With regard to the elements of the international application:***☐ the international application as originally filed☒ the description:

pages _____ (See Attached) _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the claims:

pages _____ (See Attached) _____, as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the drawings:

pages _____ (See Attached) _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the sequence listing part of the description:

pages _____ (See Attached) _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**☐ contained in the international application in printed form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.**4. ☒ The amendments have resulted in the cancellation of:**☒ the description, pages _____ none _____☒ the claims, Nos. _____ none _____☒ the drawings, sheets/fig _____ none _____**5. ☒ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).****

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

**Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/09506

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. statement**

| | | | |
|-------------------------------|--------|--|-----|
| Novelty (N) | Claims | <u>(Please See supplemental sheet)</u> | YES |
| | Claims | <u>(Please See supplemental sheet)</u> | NO |
| Inventive Step (IS) | Claims | <u>(Please See supplemental sheet)</u> | YES |
| | Claims | <u>(Please See supplemental sheet)</u> | NO |
| Industrial Applicability (IA) | Claims | <u>(Please See supplemental sheet)</u> | YES |
| | Claims | <u>(Please See supplemental sheet)</u> | NO |

2. citations and explanations (Rule 70.7)

Claims 1-2, 12, 24, 26 lacks novelty under PCT Article 33(2) as being anticipated by RICHARD.

The patent to RICHARD shows a fish hook having an electrically conductive shank 8 with an eye. RICHARD shows an electrically conductive bend, a point and a self-contained bioelectric simulating means which upon immersion in water produces an electromagnetic field due to the anodic and cathodic regions of the hook.

Claims 17-21, 27-35 lack novelty under PCT Article 33(2) as being anticipated by RODGERS.

The patent to RODGERS shows a fishing lure having fine electrically conductive strands 11, 13 secured in the body and at least another section that protrudes out from the body such that they provide a bioelectric simulating means as discussed in column 2, lines 39-52.

Claims 3-11, 13-16, 22-23, 25-26, 37-47 meet the criteria set out in PCT Article 33(2) because the prior art to Richard, Massie or Rodgers does not teach an insulating segment formed by an electrically insulating material that is located along the fishhook between the anodic segment and the cathodic segment where the insulating segment becomes exposed to water for insulating the fishhook from electrical contact with the water. Further Massie and Richard do not show the anodic segment or cathodic segment attached to an artificial lure.

Claims 3-11, 13-16, 25, 40-47 lack an inventive step under PCT Article 33(3) as being obvious over RICHARD in view of BARFIELD. The patents to RICHARD and BARFIELD show fishing lures. RICHARD has been discussed above. BARFIELD shows a hook having a worm A mounted on the hook that provides an insulating coating. In reference to claim 3, it would not involve an inventive step to provide RICHARD with an insulating worm body as shown by BARFIELD to attract more (Continued on Supplemental Sheet.)

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

I. BASIS OF REPORT:

This report has been drawn on the basis of the description,
page(s) 1-23, as originally filed.
page(s) NONE, filed with the demand.
and additional amendments:
NONE

This report has been drawn on the basis of the claims,
page(s) 25-32, as originally filed.
page(s) NONE, as amended under Article 19.
page(s) NONE, filed with the demand.
and additional amendments:
Page 24, filed with the letter of 15 May 2000.

This report has been drawn on the basis of the drawings,
page(s) 1-7, as originally filed.
page(s) NONE, filed with the demand.
and additional amendments:
NONE

This report has been drawn on the basis of the sequence listing part of the description:
page(s) NONE, as originally filed.
pages(s) NONE, filed with the demand.
and additional amendments:
NONE

5. (Some) amendments are considered to go beyond the disclosure as filed:
none

V. 1. REASONED STATEMENTS:

The report as to Novelty was positive (YES) with respect to claims 3-11, 13-16, 22-23, 25-26, 37-47.
The report as to Novelty was negative (NO) with respect to claims 1-2, 12, 17-21, 24, 27-36.
The report as to Inventive Step was positive (YES) with respect to claims none.
The report as to Inventive Step was negative (NO) with respect to claims 1-47.
The report as to Industrial Applicability was positive (YES) with respect to claims 1-47.
The report as to Industrial Applicability was negative (NO) with respect to claims none.

V. 2. REASONED STATEMENTS - CITATIONS AND EXPLANATIONS (Continued):

fish.

Claim 36 lacks an inventive step under PCT Article 33(3) as being obvious over RODGERS. RODGERS shows a fishing lure. RODGERS does not disclose that the fish hook is cathodic or that it is replaceable. However, it would not involve an inventive step to employ a cathodic hook since the function is the same and no showing of unexpected results was made.

Claims 22-23, 37-39 lack an inventive step under PCT Article 33(3) as being obvious over MASSIE. The patent to MASSIE shows a fishing lure having sheet metal with an anodic segment and a cathodic segment 6,7. It would not involve an inventive step to add the segments of MASSIE to another lure.

Claims 1-47 the criteria set out in PCT Article 33(4), because the invention can be made and used to catch fish.

----- NEW CITATIONS -----

What is claimed is:

1. A bioelectric simulating fishhook comprising:

an electrically conductive shank having an eye formed at an end thereof, the eye adapting the fishhook for coupling to a fishing line;

5 an electrically conductive bend formed at an end of the shank distal from the eye;

a point formed at an end of the bend distal from the shank;
and

10 a self-contained bioelectric simulating means formed solely by material exposed on the fishhook and which, upon immersion of the fishhook in water, immediately provides an electromagnetic field distributed along the fishhook that extends between at least two separated locations on the fishhook to induce a strike response in fish.

2. The fishhook of claim 1 wherein said bioelectric simulating means includes:

an anodic segment, formed by an anodic material, that is located along the fishhook where said anodic segment becomes
5 exposed to water upon immersion of the fishhook therein; and

a cathodic segment, formed by a cathodic material, that is also located along the fishhook where said cathodic segment becomes exposed to water upon immersion of the fishhook therein, and that is separated from the anodic segment.

3. The fishhook of claim 2 further comprising an insulating segment, formed by an electrically insulating material, that is located along the fishhook between said anodic segment and said cathodic segment where said insulating segment becomes
5 exposed to water upon immersion of the fishhook therein for insulating the fishhook thereabout from electrical contact with the water.

4. The fishhook of claim 3 further comprising an artificial lure disposed upon the fishhook.